Public Law 99-600 99th Congress

## An Act

Nov. 5, 1986 [H.R. 5167]

To declare that the United States holds certain public domain lands in trust for the Pueblo of Zia.

New Mexico. Indians. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

#### SECTION 1. LANDS HELD IN TRUST FOR PUEBLO OF ZIA.

Petroleum and petroleum products. Natural gas. (a) Lands Held in Trust.—All right, title, and interest of the United States in and to the surface and mineral estates (including oil and gas) of the following lands described in subsection (b) are hereby declared to be held by the United States in trust for the benefit and use of the Pueblo of Zia.

(b) Land Description.—The lands referred to in subsection (a) are approximately 1,840 acres of land under the jurisdiction of the Bureau of Land Management of the Department of the Interior situated within Sandoval County, New Mexico, more particularly described as follows:

Southeast quarter of the northeast quarter and the southeast quarter of Section 24, Township 15 North, Range 1 East, New Mexico Principal

All of Section 25, Township 15 North, Range 1 East, New Mexico Principal Meridian;

South half of the southwest quarter and the southeast quarter of Section 26, Township 15 North, Range 1 East, New Mexico Principal Meridian; All of Section 35, Township 15 North, Range 1 East, New Mexico Principal

Meridian; and
Lot 1, and the southeast quarter of the northeast quarter, and the northeast
quarter of the southeast quarter of section 3, Township 14 North,
Range 1 East, New Mexico Principal Meridian.

#### SEC. 2. ADMINISTRATION OF LANDS HELD IN TRUST FOR PUEBLO OF ZIA.

(a) In General.—Upon enactment of this Act and subject to the other provisions of this Act, the lands described in section 1 shall be administered in accordance with the laws generally applicable to property held in trust by the United States for Indian tribes.

(b) Gross Receipts From Lands Held In Trust.—All gross receipts (including, but not limited to, bonuses, rents, and royalties)

which-

 are derived by the United States from any contract, permit, or lease relating to the surface or mineral estate in the lands described in section 1, and

(2) are received by the United States after the date of enact-

ment of this Act,

shall be administered in accordance with the laws generally applicable to receipts from property held in trust by the United States for Indian tribes.

# SEC. 3. APPLICATIONS FOR MINERAL LEASES.

Petroleum and petroleum products. Natural gas. Notwithstanding any other provision of law, all applications for mineral leases involving the lands described in section 1, including oil and gas leases, pending on the date of enactment of this Act shall be rejected and the advance rental payments returned to the applicants.

### SEC. 4. CERTAIN RIGHTS WITH RESPECT TO LANDS HELD IN TRUST FOR PUEBLO OF ZIA.

(a) Valid Existing Rights.—Nothing in this Act shall deprive any person (other than the United States) of any lease, right-of-way, mining claim, grazing permit, water right, or other right or interest which such person may have in the surface or mineral estate of any lands described in section 1 on the day before the date of enactment of this Act.

Minerals and mining. Water.

(b) Water Rights.—The water rights appurtenant to the lands described in section 1 shall be those water rights that are appurtenant to such lands under State law on the day before the date of enactment of this Act. Nothing in this Act shall be construed to create or affect any water rights other than those that are appurtenant to such lands under State law on the day before the date of enactment of this Act.

State and local governments.

(c) RIGHT-OF-WAY FOR 115-KV TRANSMISSION LINE.—(1) Nothing in this Act shall affect the right-of-way over any lands described in section 1 for a 115-KV transmission line by Plains Electric Generation and Transmission Cooperative, Inc., granted by the Bureau of Land Management of the Department of the Interior on April 18, 1961, and bearing identification number NM0149992.

(2) Plains Electric Generation and Transmission Cooperative, Inc., and its successors and assigns, shall be permitted to renew the right-of-way described in paragraph (1) under rules and regulations of the Secretary to the same extent and in the same manner that such permit could have been renewed if this Act had not been enacted.

(3) No charge, fee, or tax may be imposed by the Pueblo of Zia on any lands, facilities, activities, or revenues in connection with the right-of-way described in paragraph (1), except for fees charged with respect to any renewed right-of-way described in paragraph (2).

(d) OIL AND GAS LEASES.—(1) Nothing in this Act shall affect—
(A) the oil and gas lease issued on May 1, 1983, by the United States to Yates Petroleum Corporation, bearing Serial No. NM

(B) the oil and gas lease issued December 1, 1977, by the United States to Merle C. Chambers, Denver, Colorado, bearing Serial No. NM 31557,

(C) any other oil or gas leases that were valid and existing on the day before the date of enactment of this Act,

(D) any right, term, condition, and covenant (both express and implied) granted under any oil or gas lease referred to in subparagraph (A), (B), or (C), and

(É) reasonable access (including, but not limited to, rights of ingress and egress) across lands described in section 1 or which are otherwise owned by or under the control of the Pueblo of Zia

Taxes.

insofar as it may be necessary to cross such lands in order to reach lands subject to any oil or gas lease referred to in

subparagraph (A), (B), or (C).

(2) Subject to valid existing rights, the leases described in subsection 4(d)(1) shall be administered under rules and regulations of the Secretary to the same extent and in the same manner that such leases would be administered if this Act had not been enacted.

Approved November 5, 1986.

LEGISLATIVE HISTORY-H.R. 5167:

HOUSE REPORTS: No. 99-819 (Comm. on Interior and Insular Affairs). CONGRESSIONAL RECORD, Vol. 132 (1986):

Sept. 16, considered and passed House.

Oct. 16, considered and passed Senate, amended; House concurred in Senate amendments.